IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5119 OF 2005

Mr. R.J. Kothari
(Now deceased)
1. Mr. Jayant R. Kothari
and ors. ..Petitioners

Vs.

Mrs. Katherine Gonsalves
(now deceased)
1. Mrs.Nancy Creado d/o
Mrs. Katherine Gonsalves
and ors. ..Respondents

None for the petitioners.
Mr. T.S. Ingale for respondent Nos.1, 2 to 4, 5A and 5B and 7 to 11.

CORAM: B.H. MARLAPALLE, J.

Date : March 14, 2007.

P.C.:

. In view of the view taken by me in Writ Petition No. 4138 of 2006 decided on 24/8/2006, this petition challenging the final decree passed by the trial court and confirmed by the Lower Appellate Court under the Rent Act need not be entertained and the petitioner has the alternative remedy of filing a Civil Revision Application under Section 115 of C.P.C.

. Hence the petition is disposed as withdrawn with liberty to file a Civil Revision Application. Status quo order granted earlier to be continued for a period of two weeks from today. Annexures be returned.

. If such a Civil Revision Application is presented within a period of four weeks from today, the period of pendency of this petition shall be taken into consideration for condonation of delay, if any.

(B.H. Marlapalle,J.)